

WASHINGTON, D.C. 20505

OLC 78-1944/T
10 OCT 1978

Legislative Counsel

Honorable John J. Sparkman, Chairman
Committee on Foreign Relations
United States Senate
Washington, D. C. 20510

SFRC

Dear Mr. Chairman:

I need not impress on you the need to protect sensitive compartmented intelligence which is so vital to our Nation's intelligence collection efforts. The Director of Central Intelligence became seriously concerned by the increasing numbers of persons granted access to compartmented intelligence and initiated a review within the Executive Branch to critically assess the basis for the granting of such access. The Director has extended this review to the Legislative Branch and issued Guidelines establishing my office as the Community focal point to oversee the issuance of compartmented clearances for the Congress, the General Accounting Office and the Library of Congress.

A member of my office will be in contact with Mr. Norvill J. Jones, Chief of Staff, to review existing compartmented clearances for staff members of your Committee and to establish procedures for the issuance of future clearances. We will represent all Community agencies which sponsor the issuance of SI, TK and clearances for staff members on your Committee. I assure you that this program is not intended in any way to impair the work of the Congress which requires access to sensitive intelligence. Our only concern, which I know you share, is that there be a clearly established need for such access.

STA

I feel certain that in a spirit of cooperation we can work out suitable arrangements to effectively limit and control the issuance of compartmented clearances and thereby enhance the protection of our most vital intelligence collection assets. Enclosed is a copy of the Director's letter to the President of the Senate informing him of the program. A similar letter was sent to the Speaker.

Sincerely,

/s/

Frederick P. Hitz

STAT

Enclosure OLC 78/1944/1a

Distribution:

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Washington, D.C. 20505

21 JUL 1978

Honorable Walter Mondale
President of the Senate
United States Senate
Washington, D.C. 20510

Dear Mr. President:

In view of my statutory responsibility to protect intelligence sources and methods, I became greatly concerned by the proliferation of highly sensitive intelligence collected and maintained within systems of compartmentation. I initiated a review within the Executive Branch to reassess the justification for existing clearances and to limit issuing future clearances based on the strictest application of need-to-know.

This same concern extends to the Legislative Branch. As you know, staff personnel of our Congressional oversight committees have been granted access to highly sensitive compartmented intelligence information. However, due to the broadening of interest in foreign intelligence within the Congress, access has been extended to staffs of other committees. It is imperative that a review, similar to that underway within the Executive Branch, be undertaken within the Legislative Branch to assure that current and future access to highly sensitive intelligence information is clearly justifiable.

Accordingly, I have designated my Legislative Counsel to serve as the focal point to review all requests for such access for Congressional staff personnel. His office will contact the chairmen and staff directors of those committees concerned to assess the justification of existing clearances and to establish agreed upon guidelines to assess critically the need-to-know for future clearances. I do not intend in any way to impede or impair the work of any committee which requires access to sensitive intelligence. It is my concern, however, that the need-to-know be shown to be clearly warranted. In this regard, experience has shown that most congressional requirements for substantive intelligence can be satisfied without access to highly sensitive sources and methods information.

Where there is a clearly justifiable need, Members of Congress are given access to sensitive intelligence information. Personal staff of Members, however, have been denied such access and I have reaffirmed this policy. The only exception, which I am initiating at this time, is to grant selected key staff members serving in the offices of the Leadership

of the Congress access since their principals receive sensitive intelligence on a regular basis and require staff assistance. This will include designated personal staff members from the staffs of your offices, the President Pro-Tempore of the Senate, and Majority and Minority Leaders of both the Senate and the House. My Legislative Counsel will be contacting your offices to determine which staff personnel you have designated for such access. I recently received a letter signed jointly by Senate Majority Leader Robert Byrd and Senate Minority Leader Howard Baker submitting a request for staff access which will be honored and handled directly with their offices.

It is my firm belief that these procedures will not interfere with the proper flow of intelligence to the Congress, but will serve to enhance the protection of highly sensitive intelligence sources and methods by limiting access to an absolute need-to-know. I would welcome your support to facilitate acceptance of these procedures by committee chairmen in any way that you deem appropriate.

Yours sincerely,

/s/ Stanfield Turner

STANSFIELD TURNER

Washington, D.C. 20505

21 JUL 1978

Honorable Thomas P. O'Neill
Speaker of the House
House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

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Yours sincerely,

/s/ Stansfield Turner

STANSFIELD TURNER